

# Al Farouq

The Criterion

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## ISRAEL AND ITS POLICY OF COLLECTIVE PUNISHMENT

**The past few weeks have witnessed another eruption of Israel Zionist aggression against the hapless Palestinians, with the Jewish regime once more employing its military might against women and children.**

Analysts rate the recent Gaza terrorist attack by the Israeli government as the worst crisis in the region since 1967. While that may be debatable, there is no doubt that this recent act of State terrorism ranks among the worst oppression ever to be perpetrated against an unprotected people. In the recent Gaza bombardment

mainly children were injured and killed, the youngest being a two-month (some reports say two-day) old baby. Even big men who saw video footages of the pillage and destruction wrought by Jewish jets and missiles, were driven to tears. And all this in the name of collective punishment! For the crime of a few Palestinians who fired some harmless rockets into Israeli territory, innocent Palestinian children have to pay with their lives. There could never be a greater travesty of justice. The Israeli fascist regime has evolved into such an arrogant and despotic rulership that it is almost a law unto itself. It sees fit to punish a whole community for

the act of a few, and above all, get away with brutality with impunity. Flagrant and deliberate perversion of justice has now become a norm for Western so-called Democratic States when dealing with Islam and its followers. Can any country in the world produce one example of such obscene and monstrous violation of human rights as perpetrated by Israel? It appears as if only Muslims deserve such inhumane treatment.

### AGGRESSION WITH IMPUNITY

A look at the responses of Western governments to the Gaza attacks will underline the immunity Israel enjoys in its campaign of naked aggression against Palestine.

Al Jazeera reports that *the international community, led by the US and the UK has voiced concern and urged both sides to step back from the brink..... (2 March, 2008)*

This is totally absurd and outrageous. All these insensitive bureau-

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## THE KUFR THEORY OF DARWIN IN OUR SCHOOLS

**M**uslim parents need to work swiftly and urgently against a new menace that has surfaced in our schools' syllabi. Schools throughout South Africa have introduced the kufr theory of evolution espoused by Charles Darwin in the 18th century. This un-Islamic and illogical theory teaches that man originated from an ape. Charles Darwin was an English scientist who invented the idea that human beings descended from great apes. He believed that the great apes of the past underwent *natural* change and transformation over a gradual process lasting thousands of years, eventually turning into human beings. This is what evolution is in a nutshell. During his time Darwin's atheistic theory was acclaimed and accepted by some scientists, especially in England and Germany, but most of them rejected it. Even today, scientists have deep reservations as to the validity of evolution and the process of natural selection, meaning that the metamorphosis of ape into human occurred through the natural qualities of these animals that allowed them to sur-

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# Questions and Answers

**Q:** When calculating zakaat of a business which price should be taken into consideration; the cost price or the selling price? In the case that it is calculated on the selling price then which selling price is considered.: My selling price or the general selling price? I ask this because in the nature of my business it is such that I have to display a high selling price and when the customer wants to buy the item, I end up giving a discount. As a result my selling price on display is not always the price that I sell the item at.

**A:** Nowadays the retail price of goods is not fixed but fluctuates quite drastically from seller to seller, especially with the culture of discounting prices prevalent in our business societies. Chain stores have a much lower retail price than corner shops, and so forth. Furthermore, the value of wealth for zakaat purposes is based on the principle of appreciation. Whichever value becomes the benchmark of wealth appreciation is considered the basis for zakaat evaluation.

In business, the retail price is not always a proper reflection of the value of one's stock, because of the discount syndrome, as you referred to in your question. If a business owner has to sell up, he would never realize the retail value of his stock. Therefore, from a fiqhi point of view, we should consider the CURRENT MARKET VALUE of stock for calculation of zakaat, which is the value prevalent among wholesalers. This means that at the time of calculating zakaat the shopkeeper should find out the current wholesale value of his stock. He must take into consideration the price he would pay for the same stock if he had to buy it from his normal suppliers at that point in time. And Allah Knows Best.

**Q:** I would like to know the following: If someone tells you

to buy something for him and then to send it to him. So you go to a shop to purchase the item where it happens to be priced as: buy one (at the normal price) and get one free. In this case after buying it can you send him one of the two items and keep the free one for yourself?

**A:** The practice of selling one item and giving one free actually means selling two items for the price of one. When one item is sold for a price and another comes with it free of charge, the buyer is actually paying one price for two items. In fact, some shopkeepers advertise such a sale by clearly stating: "two for the price of one"; so there is in reality no "free item". On this basis, if the first person had given you money to buy the item for him (which is probably the case in question) then it means that you had purchased both items in exchange for his money, hence both items belong to him. If you wish to keep the item, you need his permission. You may not give him one and keep the other.

Had he not given any money but merely requested you to purchase the item for him and collect the money on delivery, then you are allowed to give him one and retain the other for your own use. This is because you had now purchased both items with your own money and you are the owner of both.

In this case, delivering the item to him and collecting money in exchange for it constitutes a sale. You are selling him an item that you bought with your own money; hence you may charge him any price you wish.

**Q:** Is it sunnat to raise the hands and make dua after athaan?

**A:** Despite researching many books on hadith, we have failed to come up with even a weak hadith that mentioned raising of

hands in dua after athaan. It is established that Rasoolullah (sallallahu alayhi wasallam) read the dua after athaan and taught it to the Sahaaba, but nothing indicates that lifted his hands when reading it, or that he ordered the Sahaaba to do so. This practice is, therefore, not a sunnah. For a practice to be designated as sunnah, it must be found in the famous books of hadith.

**Q:** Can you explain tasowwuf in a nutshell?

**A:** Tasowwuf is basically the method of cleansing oneself from lowly and debase qualities, and adorning oneself with good and noble character. There is nothing beyond this in tasowwuf. To achieve this, the Mashaaikh or Spiritual Guides of Tasowwuf will prescribe different forms of zikr, mediation, and acts of worship. The most important of all prescriptions in tasowwuf is adherence to the sunnah. One cannot achieve moral reformation and regeneration by flouting Shariah or perpetrating acts of bid'ah.

**Q:** What excuse will permit salah to be read at home?

**A:** Heavy rain and illness, which are mentioned in a hadith of Bukhari. In Muslim Shareef Hazrat Ayesha radhiyallahu anhaa narrates from Rasoolullah (sallallahu alayhi wasallam) that the urge to answer the call of nature and partaking of meals by one who is really hungry (not people who eat 3 meals a day) are also excuses to omit jamaat. In Abu Dawood and Ibni Hibbaan, on the authority of Ibni Abbas (Radhiyallahu anhu) another excuse mentioned for exemption from jamaat salah is FEAR.

**Q:** Can you leave your wife and kids alone at home to attend jamaat?

**A:** The fear mentioned above is understood in a general sense.

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# Questions and Answers

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It can refer to fear for one's own well being or fear for the wife and children when they are left alone. Both are genuine excuses for the omission of jamaat salaah. So in cases where leaving the wife and children at home represents some danger to them, one will be allowed to leave out the jamaat salaah in musjid and offer the salaah at home. There are a few occasions where Rasoolullah (sallallahu alayhi wasallam) missed jamaat in musjid, in which case he made jamaat with his family at home. In such cases jamaat should be performed with the whole family.

**Q: What can Zakaah be used for?**

**A:** Zakaah may be used to fulfill the debts of poor (who are eligible for zakaah), paying their light accounts, rental, rates, etc.; one may purchase clothing with zakaah money and distribute among the poor; food may be purchased with zakaah funds, raw or cooked and given to the poor; one may buy books with zakaah and hand these over to the poor; one may pay the burial expenses of poor people with zakaah; zakaah may be used to settle school or madresa fees of poor children.

Zakaah cannot be donated to a Musjid or madresa to be used for the building thereof. If zakaah is given to a madresa, the principal or authorities may utilize it for the expenses of poor students, not for building or equipment.

**Q: I would like to know if purdah has to be observed between a man and his step mother-in-law?**

**A:** Yes, pardah has to be observed between these two individuals because the two can marry each other if the step mother-in-law gets divorced.

**Q: In the aforementioned case, if the person divorces his wife and his step mother-in-law is also divorced by the father-in-law, will it be permissible for the two divorcees to marry?**

**A:** As mentioned in the previous answer, marriage between the two divorcees is permissible.

NOTE: BY "STEP MOTHER-IN-LAW" WE MEAN A MAN'S WIFE'S STEP MOTHER, I.E. HIS FATHER-IN-LAW'S OTHER WIFE.

**Q: Who was Ghous Paak (RA)?**

**A:** Ghous-e-Paak is the title of Shaikh Abdul-Qaadir Jeelani (rahmatullahi alayh) who was born in Baghdad, Iraq in 470 AH and died in 561 AH. The word Ghous (Arabic Ghauth) is a title for the highest ranking Wali among Auliya, which was the position enjoyed by Shaikh Abdul Qaadir Jeelani RA. He was indeed a great Aalim and Wali of Allah and most strict on the Sunnah of Rasoolullah (sallallahu alayhi wasallam). The Shaikh is buried in Baghdaad and his tomb is well known in Iraq.

**Q: Can a mother read salah whilst holding a baby? The mother is alone and baby will not stop crying unless it is carried.**

**A:** If the time of salaah is running out then in the above case the mother may carry the child and offer her salaah. She should, however, try to minimize her movements when carrying the child.

**Q: If a man gave his wife talaaq, does she have to start iddat immediately?**

**A:** The iddah of a woman starts immediately after talaaq has been uttered by the husband.

**Q: Can a woman who is in iddah of talaaq leave the home for any reason?**

**A:** Whilst observing the iddah after talaaq, a woman may not go out of the confines of her home except in cases of emergency. Emergency refers to life and death situations. The husband is supposed to support his wife during her iddah, hence there is no need for her to leave the home. However, a woman who is observing the iddah of wafaat (demise of her husband) may leave the home between sunrise and sunset.

**Q: A man did not pay zakaah for 20 years. He owns a business and only a year ago he has got R300 000 cash in the bank. what must he do about the 20 years? Please clarify**

**A:** If this man possessed stock or cash equal to or more than the value of nisaab during the past 20 years, then he has to pay zakaat for all the past years. However, if he never owned stock or cash to the value of nisaab, or he always had debts that outweighed his assets, then zakaat for the past years is not compulsory. He shall pay zakaat on the R300,000. for the current year only since that is a recent asset.

**Q: Can one leave behind a wasiyyat for wife and kids?**

**A:** The Hadith of Rasoolullah ﷺ forbids a wasiyyat for heirs because heirs such as wife, parents, and children must inherit. No one can deprive them of their share in the estate. ❀

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# Questions and Answers

## QUESTIONS AND ANSWERS IN SHĀFI'EE MATH-HAB

**Q:** Does changing the baby's nappie break one's wudhu? Likewise cleaning baby's privates from stool?

**A:** According to the Shaafi math-hab touching the private part of a human being with the inside of the hand breaks wudhu. Hence, if the inside of the bare hand comes into contact with the baby's private parts while changing a nappie, the wudhu will break.

**Q:** Is a Shaafi allowed to make jama' of salaah if he intends staying at one place for 3 days or less?

**A:** Yes, Jama' or combining two salaah is valid for a Shaafi who is a musaafir. Staying three days or less in one place after travelling for over 70 km's makes one a musaafir.

**Q:** From when does a Shaafi traveller start making Qasr?

**A:** A Shaafi traveller will start Qasr once he reaches the outskirts of his town, not the suburb he lives in.

**Q:** Is it permissible to eat locust in the Shaafi math-hab?

**A:** Yes, consumption of locusts is permissible.

**Q:** Can a Shaafi mother call out the athaan in the new baby's ears, or must the father do it?

**A:** In the Shaafi math-hab it is permissible for the mother to call out the athaan.

**Q:** A person mistakenly made Eshaa salaah without

wudhu. Thereafter, he made a fresh wudhu and performed the witr salaah. Later on he realized that his Eshaa was not valid because he did not have wudhu. The time for Eshaa salaah is still in. Does he now have to repeat only the Eshaa salaah or must he repeat the witr as well?

**A:** According to the Shaafi math-hab, in the above case one needs to repeat both the Faradh of Eshaa as well as the witr thereafter. This will apply if the Eshaa salaah is being repeated within its time. However, if the Eshaa time has expired then he needs to offer only the Eshaa as qadha, since in the Shaafi' math-hab there is no qadha for witr.

**Q:** A Shaafi Imam forgot to sit for Tashahhud in the second rakaat of Asr salaah. When the muqtadees reminded him, he went back into the sitting position, and made sujood sahw at the end. Was this correct and was the salaah valid?

**A:** According to the Shaafi kitabs, in a case like that one should not return to the sitting position but should continue standing up and make sujood sahw at the end. However if he did return to the sitting position then the salaah is valid but sujood of sahu still has to be made.

**Q:** I am a Shafi and I would like to know what part of a dog breaks my wudhu and what does not?

**A:** In the Shaafi' math-hab a dog is najisul-ayn, that is totally impure. However, if a

dogs licks one or brushes against one, or one touches a dog the wudhu does not break. So nothing of a dog will break one's wudhu. However, one should wash the hand after touching a dog, or wash the area where the dog licked. There is no need to repeat wudhu.

**Q:** Can a shaafi female marry a man of her choice without the consent of her father?

**A:** A Shaafi female who was never married may not enter into nikah without the consent of her wali, who is the father or, in his absence, the paternal grandfather. If she does, her nikah will be null and void.

**Q:** What is the ruling for salah with jam'ah for Shaafi ladies?

**A:** Shaafi females are allowed to make salaah in Jam'at form, though it is better that they perform their salaah individually.

**Q:** I am Shaafi and I missed some fasts four years ago due to pregnancy. I knew I had to make the qadhaa but not that I had to do it before the next Ramadaan. I don't have money to pay the fidya. What do I do?

**A:** Firstly, for each Ramadaan that passed since you missed the fasts, a fidya has to be paid for each fast. This is wajib and is a debt on you for life. But you are allowed to pay off this fidya as and when money becomes available. Find out the cost of one fidya from your local Musjid.

**Q:** Islamic banks operate some of their transactions on the basis of Muraabaha. Is Muraabaha also found in the Shaafi math-hab?

**A:** Yes, Muraabaha (selling an item for cost plus profit) is a valid transaction accepted by all Imams. ❀

# IMPORTANCE OF ISLAMIC BURIAL

## MAKING HASTE WITH THE JANAAZAH

1. Hazrat Abu Hureira *radhiyallahu anhu* narrates that Rasoolullah *sallallahu alaihi wasallam* said:

***"Make haste with the janaazah, for if it be (the janaazah of) a pious one then you are bringing it closer towards good, and if it be otherwise then it is evil which you (quickly) get rid of."*** (Bukhari)

2. Hazrat Abdullah bin Umar *radhiyallahu anhu* reports that he heard Rasoolullah *sallallahu alaihi wasallam* say:

***"When anyone dies, do not keep him back, instead, take him quickly towards his qabr."*** (Tibrani)

3. A Sahaabi by the name of Talha ibnul Baraa was ill. Rasoolullah *sallallahu alaihi wasallam* visited him and then remarked: ***"I see the signs of death developing in him. So when he dies, inform me. And be prompt with his burial for it is not permissible for the corpse of a Muslim to be kept back among his family."*** (Tirmizhi)

4. Once Rasoolullah *sallallahu alaihi wasallam* said to Hazrat Ali *radhiyallahu anhu*:

***"O Ali! There are three things which you should never delay: the salah when its time has entered; the janaazah when it is ready; the marriage of a widow when she finds a compatible partner."*** (Saheeh Ibni Hibbaan)

5. A janaazah passed by and Rasoolullah *sallallahu alaihi wasallam* made the following remark:

***"Mustareehun oh Mustaraahun minhu"***

The Sahaaba were mystified by these cryptic words, hence they queried from Rasoolullah *sallallahu alaihi wasallam*: "O Prophet of Allah! What do these terms

mean?" He replied:

***"Mustareeh is the mumin servant who achieves relief and comfort from the hardships and difficulties of this world. And Mustaraahun minhu is the Fajir (rebellious sinner) from whose evil people, animals, trees and the entire town are relieved."***

6. It is reported that Rasoolullah *sallallahu alaihi wasallam* once said:

***"He who loves to meet Allah, Allah too loves to meet him. And one who detests the meeting with Allah, Allah too detests meeting such a person."*** (Ibni Hibbaan)

7. Hazrat Abu Saeed reports that Rasoolullah *sallallahu alaihi wasallam* said:

***"When a janaazah is ready and the menfolk lift it up to proceed, it speaks: if it is the janaazah of a pious person, it says: 'Send me off quickly, send me off quickly!'; and if it is not so pious, it says: 'Woe betide me, where are you taking me!?' Every creation of Allah besides man hears the speech of the janaazah. If man could hear it then surely he would be rendered unconscious (out of terror)." (Nasaai)***

### FROM THE ABOVE AHADITH THE FOLLOWING POINTS EMERGE:

a) It was the desire of Rasoolullah *sallallahu alaihi wasallam* to have the dead buried as quickly as possible. Every Muslim should endeavour to fulfill this ambition of our Master (*Sallallahu alaihi wasallam*), and in this effort let us not be influenced by friends and relatives. The practice of waiting for relatives from distant places to attend the janaazah is in diametric conflict

to this policy of our Master.

b) In adopting this policy we are doing ourselves as well as the mayyit a great favour. A pious servant is eager and restless to get to the reward that lies ahead, whilst the evil one has to be got ridden of as speedily as possible.

c) One who loves to meet Allah must not be kept waiting. Surely this is a great injustice to the mayyit.

d) By holding the mayyit back the anguish, grief and sorrow of the deceased's family is increased.

e) Every Muslim should love to meet Allah, and such love is generated by the constant performance of good deeds and the regular abstention from sin.

f) Unless the circumstances are unavoidable, the corpse of the mayyit should never be kept lying in the house. In the swift execution of kafan and dafan arrangements there is great barakah which will undoubtedly be experienced by the mayyit too.

### NOTE:

Even when conveying the janaazah to the cemetery the procession must move at a brisk pace. On the occasion of a janaazah Hazrat Abu Bakra *radhiyallahu anhu* (a Sahaabi) addressed the participants saying: ***"I recall ourselves taking out a janaazah with Rasoolullah sallallahu alaihi wasallam, we almost ran while carrying it."***

However, the janaazah should not be transported so swiftly that inconvenience and disrespect is caused to the mayyit. For Rasoolullah *sallallahu alaihi wasallam* taught that whatever hurts or inconveniences a person in his lifetime, causes the same even after death. The dead body too has to be respected and treated with reverence, just as we would respect one in his lifetime. ❀



# KUFR THEORY IN OUR SCHOOLS

(Continued from page 1)

vive as a species for thousands of years. All this is scientific rubbish, and simply a web of deception that Shaytaan has spun around the intellect of these so called intelligentsia. In contrast to this Islamic teaches that man was created by Allah Ta'ala. In numerous verses in the Holy Quran this cornerstone belief of Islam is mentioned clearly and unambiguously. In Surah Baqarah Allah Ta'ala states: **"And when Your Lord said to the Angels: 'Verily I intend creating a representative on earth'. (Al Quran**

2:30) The ensuing verses then go on to mention the creation of the first human being, Adam (alayhis salaam). In several verses of The Quran-e-Kareem Allah Ta'ala mentions the creation of Adam from a mixture of water and clay (mud), sometimes referring to this as black mud or potter's clay. He also mentions that Adam (alayhis salaam) was fashioned in a unique way that resulted in what we know today as the human body with its labyrinth of veins, vessels, and arteries, all clustered together in an unparal-

leled anatomical structure. It defies logic and affronts human intellect to believe that all this could come about through an uncontrolled and unplanned 'natural' process.

School children are given assignments and projects to research the theory of evolution. If this danger is not checked, years later our kids will grow up with the concept of evolution firmly entrenched in their minds. Evolution is a belief that expels one from Islam. Parents should write to the Department of Education, in conjunction with Islamic organisations around the country, to protest against this atheistic theory and request that our Muslims be exempted from doing such assignments.

We will keep readers updated on similar efforts by Muslims in other parts of the country. ❀

## THE PURPOSE OF NIKAH IN THE HOLY QURAN

Almighty Allah outlines the purpose of marriage in The Holy Quran, as follows.

**And among His signs (one) is that He created for you wives from among yourselves (i.e. human beings) so that you may gain comfort among them; and He established between you love and compassion. Indeed in this is a great sign for people who ponder. (Surah Luqman, verse 21.)**

**IN this verse** Allah Ta'ala uses the Arabic term *azwaaaj* which means 'spouses'. The object of nikah delineated in this verse, therefore, applies to both parties, the wife and the husband. Allah Ta'ala thus declares that the purpose of having a spouse is three fold:

- 1) For comfort and contentment
- 2) Establishment of *mawaddah*.
- 3) Establishment of compassion.

When the above are identified as the components of a marriage it naturally follows that any marriage devoid of all or some of these three ingredients, has not served its purpose. Likewise, if these three spiritual components exist in a marital

relationship but not fully then too, such a union is not complete. In both cases, the partners in that bond of nikah have to do some serious soul-searching.

The beauty of the Arabic language is borne out by the choice of words in this verse. Allah Ta'ala says the He established *mawaddah* between husband and wife. This is deeper in meaning than the word *mahabbat* which translates as 'love'. *Mawaddah* is mutual love. It is the connection of two hearts, as mentioned in the Tafseer of Qurtubi. *Mawaddah* is different to *muhabbah* in the sense that the former is a love that connects two hearts.

There is another unique blessing of nikah inferred from this verse. Every Muslim knows, and the Holy Quran has categorically mentioned this teaching in at least three places, that Muslim couples don't court before marriage. Courting is a custom of the kuffar. Marriage in Islam, therefore, is not preceded by love and promiscuity. Yet

Allah Ta'ala states in Surah 30:21 that He has created this special bonding of the hearts (*mawaddah*) between husband and wife. So if there was no connection and affair between the couple prior to nikah, in spite of which the bond of *mwaddah* has still been established, it proves that the nikah itself is a means of achieving love, compassion, and unity of the hearts. We ask our couples: After 7 or 10 years of marriage, is this comfort, love, stability, and compassion still there? If not, then you need urgent spiritual counseling.

### Hadith on Knowledge For Youth

*Knowledge acquired at a young age is like engraving cast on stone; and knowledge acquired in old age is like writing on water. (Tabarani)*

## A VERY EFFECTIVE DUA FOR NAZHAR READ DAILY MORNING AND EVENING

The following dua was taught by Jibreel ؑ to Rasoolullah ﷺ for protection against nazhar. The Messenger of Allah ﷺ instructed the Sahaaba to read this dua and blow on themselves, their women, and their children, and said that nothing like it has ever been used as a ta'weezh. (Tafseer Ibni Katheer)

اَللّٰهُمَّ ذَا السُّلْطٰنِ الْعَظِيْمِ، ذَا الْمَنِّ الْقَدِيْمِ، ذَا الْوَجْهِ الْكَرِيْمِ، وَلِيَّ  
اَلْكَلِمٰتِ التَّامَّاتِ، وَالدَّعَوٰتِ الْمُسْتَجَابٰتِ،  
عَافِنِيْ مِنْ اَنْفُسِ الْجِنِّ، وَاعْيُنِ الْاِنْسِ

### TRANSLATION:

O Allah! Possessor of Majestic Kingdom; of Ancient Bounties; of Noble Countenance; Master of the Perfect Words and accepted duas; Protect me from the spirits of jinn and the gaze of mankind

## ❖ VIRTUE OF FAJR SALAAH ❖

It is reported from Hazrat Ubay bib Ka'ab ؓ that one day, after completing the Fajr jamaat, Rasoolullah ﷺ turned and faced the congregation directly (for it was his normal habit to turn to his right, in most cases, and occasionally to his left). He then asked: "Is so and so present? Is so and so present?" mentioning the names of three people who had not come for Fajr salaah that morning. He then remarked: *"The most difficult salaah on the hypocrites is Fajr and Esha Salaah, and if they knew the rewards in these two prayers, they would (certainly) attend, even if they had to crawl. And know that your salaah with one person is better than your salaah individually; and your salaah with two people is better than your salaah with one person. And the bigger the jamaat, the more beloved is such a salaah unto Allah. And take note, that the first saff is like the saff of the Malaa-ikah (angels). If you (really) understood its virtue, you would race towards the first saff. Indeed, the virtue of jamaat salah over a man's individual salaah is 24 or 25 times greater."*

(Kanzul Ummal; Note: The doubt in the figure mentioned here is from the narrator of the hadith)

# Shariah Law on Divorce

**ALL LAWS MENTIONED HERE ARE IN ACCORDANCE WITH THE HANAFI MATH-HAB UNLESS STATED OTHERWISE**

- 1) If the husband has issued one or two talaq, he has the right to take the wife back without making a new nikah while she is still in the iddah, irrespective of whether she wants to come back or not. In this particular case the wife has no say at all.
- 2) The husband may take her back in the iddat by saying verbally: "I have taken my wife back" or by a sexual advance such as kissing or sexual intercourse, etc. It is **preferable, not compulsory** to say he is taking her back in front of two witnesses.
- 3) However, in the **Shaafi math-hab**, sexual intercourse is not a means of raj'ah or retraction. Instead the husband has to make a verbal statement in front of two witnesses that he has taken her back into his nikah. (*Al Majmoo'*)
- 4) After the expiry of the iddat, (when 1 or 2 talaq were given) the husband and wife can only get back together again by making a new nikah with a new dowry. And this is if the wife agrees to come back. If the woman does not agree to come back after the iddat, no one can force her because the moment the iddat ends, she is no longer his wife. In this case the woman has got a choice of her own (whether to come back to her former husband or not).
- 5) **THREE TALAAQ:** If the husband gave his wife three talaq then the nikah breaks immediately and there is no way the two can get back together again. This is the

strongest form of talaq. The wife is now forever haraam upon the husband. *This law applies to all Schools of Fiqah.*

- 6) **Our menfolk should therefore be very, very careful in the utterance of talaq. So often the husband blurts out three talaq in anger, sometimes to spite the wife, or to frighten her, or punish her. Little does he realise that he spites none but himself. It is a classical example of cutting off the nose to spite the face. After such a rash utterance, only then does the severity of the matter hit home. By then it is too late to change anything. We referred earlier to impulsive behaviour, to anger and rashness. This, plus ignorance of the laws of talaq is what propels the husband to make such utterances which he rues for the rest of his life. Take note of the following laws.**
- 7) For a divorce to be effective it is not necessary that it must be in writing. A verbal talaq, be it one, two, or three is effective and enough to sever the bond of nikah. It is wrong to believe that only a written talaq is valid. The law of the Shariah clearly states that a talaq uttered with the tongue is valid and takes effect. However, in view of a trend among husbands to issue talaq today and deny it tomorrow (and exploit this technicality), it is preferable to have the talaq written out.
- 8) The moment a husband decides to divorce his wife, we suggest that he goes to the Ulema for advice. The Ulema will firstly try and

reconcile the couple. Should all attempts at reconciliation fail, then the husband will be advised **how** to issue a talaq. **We appeal: Please do not be hasty in issuing a talaq until you have consulted the Ulema.** In so doing you will safeguard your Deen and your nikah as well.

- 9) Should the marriage reach a point where talaq is the only way out and reconciliation is not even a remote possibility, then let the husband follow this simple and safe procedure: **Issue only one talaq. And then leave the wife to sit in her iddat. He must separate himself from her by not sharing the bed and not mixing, but they both may stay in the same house. The wife must spend her iddat in the house provided for her by the husband.**
- 10) One talaq is therefore enough. Some wives (or in-laws) insist and impose upon the husband to issue three. There is absolutely no need for three talaq. One talaq is and will terminate the nikah, which is the ultimate aim in cases of marital breakdown.
- 11) **Three talaq are valid even if they are uttered in one sentence, in one phrase, or in three different sentences, or they are uttered in one gathering or on three separate occasions.**

**RASOOLULLAH ﷺ SAID:**  
**"Marry, but do not divorce (without a valid reason), for Allah does not love men and women who taste a lot (i.e. they marry and divorce often)." (Tabraani)**



## CONTINUED ISRAELI ZHULM

(Continued from page 1)

crats could do was to “voice concern”, as if this carnage was nought but a figment of one’s imagination. In a one-sided onslaught, only men devoid of intellect will urge *both sides to step back*. Any idiot can see that the major role player in this conflict is Israel. The British Foreign Secretary condemned the rocket attacks against Israel, which caused hardly any damage, but remains fiendishly silent on the brutal killing of Palestinian children. He calls the former terrorism, but devilishly side-steps the State terrorism of the Zionists. All this clearly emphasizes in no uncertain terms that Israel has got a subtle cater blanche from these Governments to launch one barrage after another against the helpless Palestinian nation.

### INSTIGATORS OF THE CONFLICT

The instigators of this 60 year-old conflict were none other but the Zionists themselves, aided and abetted by the conceited British, who on the precept of racial ego-tism and ascendancy, did everything in its power to suppress the Palestinian nation since its very onset. First the Palestinians were robbed of their lands when Britain implemented the Balfour declaration in 1947. Then insult was added to injury when, after establishing the ill-conceived state of Israel, the Jews began building settlements on land already occupied by Palestinians. These Jewish rogues make Mugabe look like an angel! Hordes of Jewish settlers from different parts of the world began converging onto Israel for this big land grab without an iota of shame. Systematically and over a gradual period of time Palestinians lost their properties, homes, and lands to marauding Jews. It is indeed the height of religious heresy, that people who supposedly follow a Di-

vine Scripture could perpetrate such plunder of land in the name of that Holy Scripture. No wonder that Jews are cursed in the Holy Quran, as the following verse describes:

***“The Disbelievers among the Children of Israel were cursed on the tongues of Dawood (David) and Eesa the Son of Maryam (Mary); That was because of their sin and continued transgression. (Al-Quran 5:78)***

These States of tyranny and oppression fail to realise, not surprisingly given the lack of spirituality among them, that sovereignty is a gift from Almighty Allah granted to man for a specific purpose. Almighty Allah grants dominion and rulership to whomever He wishes, (Quran 3:26) for the purpose of implementing justice and good among mankind, not so that the strong may oppress the weak. Government in Islam entails establishing justice on earth, safeguarding the rights of the down-trodden, and providing protection and relief to the needy. When the Jews of the past prayed for salvation from the tyranny of Fir’oun (Pharaoh), Almighty Allah made this declaration on the tongue of The Holy Messenger Moosa (AS)

***“Perhaps Your Lord will destroy your enemies and them make you the rulers of the land (that they owned). Then He shall see how you behave (therein.)” (Al-Quran 7:129)***

They were thus warned that control of land and power is a gift from Almighty Allah to test the behaviour and conduct of rulers. Should the rulers abuse this gift, as surely the current day Israelis are doing, then the grip of Allah is sure and powerful. Almighty Allah states:

***“Then when they forgot the warnings given to them, We opened up the doors of all (Our***

***bountiful) things; When they start rejoicing over what they were given, We suddenly seize them (in Punishment); they are then utterly bewildered (Al Quran 6:44)***

Readers might wonder when this punishment will descend, and after the atrocious butchering of people, why the delay. Well, the Holy Quran has answered this in several verses, one of which reads:

***“Do you not see that We send the Devils upon the disbelievers to incite them to (greater) sin; so do not be hasty (in wishing for their destruction); We are counting their (remaining) moments (of survival); (Al-Quran 19:83,84)***

Almighty Allah gives sinners respite to repent and desist from their evil ways. But when they persist with wrong-doing, then their days are literally numbered. Their punishment is only a matter of time. Israel’s days of zhulm and transgression are certainly numbered. The old adage of the Arabs says that a nation can exist with disbelief but not with oppression. Fir’oun’s reign of terror and tyranny lasted for 300 years before the Punishment of Allah overtook him. Three hundred years may seem a long time to our minds, but in relation to Allah The Almighty length of time has no bearing.

In the last verse of Surah Muhammad, Almighty Allah addresses his beloved Messenger saying:

***“So be patient like the mighty Messengers were patient, and do not seek a hastening of their punishment; but the day they see it, (coming) they will think they had not stayed (in this world) but for a portion of the day;***

Three hundred years or three thousands years will pale into insignificance in the face of approaching Doom.

### BRAZEN HYPOCRISY

When a Palestinian attacked a Jewish seminar in retaliation for the Gaza bombardment, the United

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## CONTINUED ISRAELI ZHULM

*(Continued from page 9)*

States were quick to condemn the attack in the most vehement terms. But its silence on the Israeli killings was deafening. When Iraq violated so-called Nuclear protocol the US wasted no time in launching a full scale war on the country. But when Israel repeatedly violated international law by stealing Palestinian land, building illegal settlements, and carrying out raids against neighbouring Lebanon, the US not only failed to censor the Jewish state but actually covertly condoned their acts of terror. Such are the double-standards of today's first world leaders. They are seeped in hypocrisy and will unashamedly display this to the world.

### OUR PLAN OF ACTION

#### 1) DUA

Our first recourse is Allah Azza Wa Jall. We all need to turn to Him in earnest and continuous dua, asking Almighty Allah to liberate Musjidul Aqsaa from the hands of the enemy and deliver it into the hands of better people; people who will respect its sanctity and show kindness to the downtrodden. Dua is our greatest weapon at this point in time. When a crisis as the one in Gaza erupts, we cannot help but becoming despondent and morose. Dua is a great means of dispelling this despondency and despair. It has been proven time and again that one in desperation gets up after making sincere dua with a renewed feeling of hope and vigour. Just the act of communicating with Allah is alone a great means of solace and comfort. Let us be persistent and consistent in dua. We pray to Allah, our Saviour and Sustainer, to thwart the plans of the Zionists, to protect Musjidul Aqsaa, to restore Palestinian lands and properties to its rightful owners, and free Musjidul Aqsaa from Zionist shackles. We also make dua that Allah soothes the frayed

nerves and emotions of those who suffered in the recent crisis. We will continue this dua indefinitely, regardless of how long it takes for the materialization of our supplications. We will leave behind a legacy of dua among our offspring and descendants. The Messenger of Allah Moosa (AS) made dua for the destruction of Fir'oun and his Kingdom, whilst his brother Nabi Haroun (AS) said "aameen" to his duas. The supplication of these two mighty Messengers was only answered after 40 years! (Tafseer of Qur-tubi) Nowadays if our duas are not accepted within 40 minutes, we throw in the towel. Such is the level of our impatience and lack of conviction.

#### 2) GLOBAL AWARENESS

Secondly, we need to continue to highlight to the world the conspiracies of the Zionists, such as their plans to demolish the Masjid and replace it with a Temple, proof of which is the secret underground excavations currently in progress. The need is to intelligently and accurately proclaim these Jewish plots to the global community in an objective but forceful way. In doing so let us not resort to exaggeration, use of spurious material, or violence, for then the message is lost on the audience.

#### 3) CULTURAL BOYCOTT

Thirdly, there is a great need to boycott the culture and ideology of all these kuffar, for they are all one breed. This boycott is far more important than the boycott of goods and products. The West, be it the Americans, the British, or the Jews, (all bed-fellows) has mastered the technique of subtly imposing their culture and thought upon the people of the world, in a variety of ways. We may avoid their products, but the

world today has become so saturated with Western culture and ideology that almost every nook and cranny of this universe is polluted, barring a few areas. As Muslims our biggest disappointment is that the two most holiest cities in the world have also come under the scalpel of Western influence. Be that as it may, we shall strive with all our spiritual might to combat the menace of Western/American/Imperialistic culture. The benefit of this is indeed tremendous. By achieving to alienate ourselves from kuffar culture and ideology, we are improving our spiritual state which in turn enables us to do more good deeds thereby earning closeness to Allah and increasing the chances of our duas being accepted. It also paves the way to propagate our Deen to the world. When we are better Muslims, we develop sublime character that draws people toward Islam and enhances the reputation of Islam. I think there is no greater service any Muslim can render to Islam than becoming a practical ambassador for his Deen.

#### 4) UNIFICATION

Fourthly, the whole Ummat has to work towards unity at all levels. We need unity among our families, communities, at national level, as well as globally. Our enemy is only as strong as the weakness in our unity. One major factor that has hampered Palestinian success is lack of unity among the Muslim nations. Had there been unity based on Islamic values and principles, the shape of Middle East politics would have been vastly different from what we observe today.

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